

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-271817	Date Filed 1/26/2021

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Boston University		b. Tel. No. 617-353-4481
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 25 Buick Street Boston, MA 02215	e. Employer Representative Judi Burgess, Esq. Director of Labor Relations	g. e-mail jburgess@bu.edu
		h. Number of workers employed 1,000
i. Type of Establishment (factory, mine, wholesaler, etc.) Unversisty	j. Identify principal product or service Education	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and thest unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

The University has failed or refused to provide relevant and necessary information to the Union related to contract administration and bargaining, including but not limited to minimum enrollment standards, bargaining unit courses removed from schedule, bargaining unit courses and faculty in Wheelock College, and elimination of bargaining unit positions.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Service Employees International Union, Local 509

4a. Address (Street and number, city, state, and ZIP code) 293 Boston Post Road West, 4th Floor Marlborough, MA 01752	4b. Tel. No. 774-843-7509
	4c. Cell No.
	4d. Fax No.
	4e. e-mail rmccleery@seiu509.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
Service Employees International Union**6. DECLARATION**

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

/s/ Patrick N. Bryant

Patrick N. Bryant

(signature of representative or person making charge)

(Print/type name and title or office, if any)

Pyle Rome Ehrenberg PC, 2 Liberty Square, 10th Floor

Address Boston, MA 02109

Date Jan 26, 2021

Tel. No.
617-367-7200

Office, if any, Cell No.

Fax No.
617-367-4820e-mail
pbryant@pylerome.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
Thomas P. O'Neill Fed Bldg.
10 Causeway Street, Room 601
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617) 565-6700
Fax: (617) 565-6725



Download
NLRB
Mobile App

January 26, 2021

RACHEL MCCLEERY
SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 509
293 BOSTON POST ROAD WEST, 4TH FLOOR
MARLBOROUGH, MA 01752

Re: BOSTON UNIVERSITY
Case 01-CA-271817

Dear Ms. McCleery:

The charge that you filed in this case on January 26, 2021 has been docketed as case number 01-CA-271817. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JARAD M. KRANTZ whose telephone number is (857) 317-7812. If this Board agent is not available, you may contact Supervisory Examiner JESSICA FOLEY whose telephone number is (857) 317-7786.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Paul J. Murphy".

PAUL J. MURPHY
Acting Regional Director

PJM/rg

cc: PATRICK N. BRYANT, ESQ.
PYLE ROME EHRENBERG PC
2 LIBERTY SQUARE, 10TH FL.
BOSTON, MA 02109



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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Download
NLRB
Mobile App

January 26, 2021

JUDI BURGESS
DIRECTOR OF LABOR RELATIONS
BOSTON UNIVERSITY
25 BUICK STREET
BOSTON, MA 02215

Re: BOSTON UNIVERSITY
Case 01-CA-271817

Dear Ms. Burgess:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JARAD M. KRANTZ whose telephone number is (857) 317-7812. If this Board agent is not available, you may contact Supervisory Examiner JESSICA FOLEY whose telephone number is (857) 317-7786.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Paul J. Murphy", written in a cursive style.

PAUL J. MURPHY
Acting Regional Director

PJM/rg

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER 01-CA-271817
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1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
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4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:

7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES)

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$		
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$		
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$		
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$		
H. Gross Revenues from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

BOSTON UNIVERSITY

Charged Party

and

**SERVICE EMPLOYEES INTERNATIONAL
UNION LOCAL 509**

Charging Party

Case 01-CA-271817

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on January 26, 2021, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

JUDI BURGESS
DIRECTOR OF LABOR RELATIONS
BOSTON UNIVERSITY
25 BUICK STREET
BOSTON, MA 02215

January 26, 2021

Date

Robert Gaffney, Designated Agent of NLRB

Name

/s/ Robert Gaffney

Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

**IN THE MATTER OF
TRUSTEES OF BOSTON UNIVERSITY**

Case 01-CA-271817

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in all locations where the Employer customarily posts notices to employees. If the Employer's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Employer's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English, and in additional languages if the Regional Director decides that it is appropriate, to all employees who are represented by Service Employees International Union, Local 509 in the two units referenced in the Notice. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 01 of the National Labor Relations Board in Case(s) 01-CA-271817." If the Employer's place of business is currently closed due to the Coronavirus pandemic, the Employer will email the copy of the Notice to its employees when the Employer's place of business reopens. To document its compliance with this requirement, the Charged Party will e-file a copy of its distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice and a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlr.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes (b) (6), (b) (7)(C) _____ No _____
Initials Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party	Charging Party
TRUSTEES OF BOSTON UNIVERSITY	SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 509
By: Name and Title Date	By: Name and Title Date
/s/ (b) (6), (b) (7)(C) 5/21/21	/s/ Patrick N. Bryant Esq. 6/2/21
Print Name and Title below	Print Name and Title below
(b) (6), (b) (7)(C)	Patrick N. Bryant Esq.

Recommended By:	Date	Approved By:	Date
/s/ Jarad M. Krantz JARAD M. KRANTZ Field Examiner	6/2/21	/s/ Paul J. Murphy PAUL J. MURPHY Acting Regional Director, Region 1	6/16/21



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1

Thomas P. O'Neill Jr. Federal Building
10 Causeway St, Room 601
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617)565-6700
Fax: (617)565-6725

Agent's Direct Dial: (504) 321-9475

July 16, 2021

(Served by Email Only)

Judi Burgess, Director of Labor Relations
TRUSTEES OF BOSTON UNIVERSITY
25 Buick Street
Boston, MA 02215
jburgess@bu.edu

Re: TRUSTEES OF BOSTON UNIVERSITY
Case 01-CA-271817

Dear Ms. Burgess:

Enclosed is a conformed copy of the Settlement Agreement in the above matter which was approved on June 16, 2021. This letter discusses what the Employer needs to do to comply with the Agreement.

Post Notice: Enclosed are printable copies of the Notice to Employees¹ In compliance with the Agreement, a responsible official of the Employer, not the Employer's attorney, must sign and date the Notices before posting them. The Notices should be posted in all locations where the Employer customarily posts notices to employees. The Notices should be posted for 60 consecutive days. The Employer must take reasonable steps to ensure that the Notices are not altered, defaced or covered by other material. During the posting period, a member of the Regional Office staff may visit the Employer's facility to inspect the Notices.

Electronic Mailing²: The Agreement provides that the Employer will email a copy of the signed and dated Notice to all employees who are represented by Service Employees International Union, Local 509 in the two units referenced in the Notice. The message of the e-mail transmitted with the Notice will state: "We are distributing the attached Notice to

¹ If the Employer's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Employer's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic.

² If the Employer's place of business is currently closed due to the Coronavirus pandemic the Employer will email the copy of the Notice to its employees when the Employer's place of business reopens.

July 16, 2021

Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 1 of the National Labor Relations Board in Case 01-CA-271817.” The Employer will forward a copy of that e-mail, at the time that it is sent, transmitting the Notice to Employees, with all of the recipients’ e-mail addresses to the undersigned at terry.bennett@nlrb.gov.

Certification of Compliance: A Certification of Compliance form is also enclosed. The Certification of Compliance should be completed and returned by not later than **July 30, 2021**, with one signed and dated original Notice.

Remedial Actions:

Please read all the terms of the Settlement Agreement and Notice carefully, as the Employer will be expected to comply with all such provisions. If you have any questions or if I can assist you, please let me know.

Closing the Case: When all the affirmative terms of the Settlement Agreement have been fully complied with and there are no reported violations of its negative terms, you will be notified that the case has been closed on compliance. Timely receipt of the signed and dated Notice to Employees and the Certification of Compliance will assist the Region in closing the case in a timely manner.

Very truly yours,

Terry L. Bennett

TERRY L. BENNETT
Compliance Assistant

Enclosures: Copy of Conformed Settlement Agreement
Notices to Employees
Certification of Compliance

cc: Patrick N. Bryant, Esquire
Pyle Rome Ehrenberg PC
2 Liberty Square, 10th Fl.
Boston, MA 02109
pbryant@pylerome.com

CERTIFICATION OF COMPLIANCE

RE: TRUSTEES OF BOSTON UNIVERSITY
Case 01-CA-271817

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Delayed Posting

Complete this section only and return to the Region if the Charged Party's place of business is currently closed or does not have a substantial complement of employees due to the Coronavirus Pandemic. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Charged Party prior to closing its business due to the Coronavirus pandemic. On a monthly basis, the Charged Party will be asked for updates on the status of the business.

I certify that the Charged Party's facility is currently closed/operating with a less than a substantial complement of employees. We anticipate reopening Respondent's facility/returning a substantial complement of employees back to work on Sept. 7-31, 2021. The Certification of Compliance below will be completed and returned to the Region shortly after the anticipated date above.

CHARGED PARTY/RESPONDENT

By: _____

(b) (6), (b) (7)(C)

Title: _____

Date: _____

August 9, 2021

This form should be returned to the Regional Office via e-file. Please *do not* e-mail or send a hard copy at this time.

CERTIFICATION OF COMPLIANCE

RE: TRUSTEES OF BOSTON UNIVERSITY
Case 01-CA-271817

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on

(date) 9/29/21 at the following locations: (List specific places of posting)
Office of Human Resources bulletin board on the BU Charles River Campus
Officer of Human Resources bulletin board on the BU Medical Campus

Electronic Distribution

The signed and dated Notice to Employees in the above captioned matter was distributed electronically on

(date) 9/24/21 by the following means. (State means of distribution **and attach proof.**)

Bulk email distribution to all L509 part-time and salaried staff. Autodelivery report attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By: (b) (6), (b) (7)(C)
Title: (b) (6), (b) (7)(C)
Date: 9/29/21

This form should be returned to the Regional Office with **ONE** original Notice, dated and signed in the same manner as those posted. **The Certification of Compliance and color-scanned signed Notice should be returned via e-file.** Please *do not* e-mail or send hard copies of the Certification of Compliance or Notice at this time.



NOTICE TO EMPLOYEES



**POSTED PURSUANT TO A SETTLEMENT AGREEMENT
APPROVED BY A REGIONAL DIRECTOR OF THE
NATIONAL LABOR RELATIONS BOARD
AN AGENCY OF THE UNITED STATES GOVERNMENT**

THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT interfere with, restrain, or coerce you in the exercise of the above rights.

WE WILL NOT bargain in bad faith with Service Employees International Union, Local 509 (Union) by failing or delaying in providing information relating to course assignments, employment contracts, appointment letters, the elimination of positions, or any other information it requests that is relevant to its bargaining obligations to the follow bargaining units:

- All non-tenured or non-tenure-track lecturers, senior lecturers, master lecturers, and instructors who are salaried (whether full-time, part-time, or half-time), and who teach at least one credit-bearing course on the Charles River Campus, including the Metropolitan College Prison Program.
- All part-time graduate and undergraduate faculty (adjuncts, part-time lecturers, lecturers, part-time instructors, or instructors) employed by Boston University at its Massachusetts campuses who teach at least one credit bearing course (including hybrid and blended courses) in a degree-granting program, and who are compensated on a per course or per hour basis and all part-time lecturers actively employed by Boston University at its Center for English Language & Orientation Program (CELOP).

WE WILL NOT in any similar way interfere with your rights under Section 7 of the Act.

WE WILL timely provide the Union with relevant requested information, and **WE HAVE** provided the Union with information responsive to its May 28, 2020 and July 21, 2020 information requests.

TRUSTEES OF BOSTON UNIVERSITY

(Employer)

Dated: 9/22/2021

By: (b) (6), (b) (7)(C)

(Representative)

(b) (6), (b) (7)(C)

(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

Thomas P. O'Neill Fed Bldg
10 Causeway St, Room 601, Boston, MA 02222-1001

Telephone: (504) 321-9475
Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the Centralized Compliance Unit at complianceunit@nlrb.gov.

CASE 01-CA-271817



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
Thomas P. O'Neill Jr. Federal Building
10 Causeway St, Room 601
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617)565-6700
Fax: (617)565-6725

December 7, 2021

(Served by Email Only)

Judi Burgess, Director of Labor Relations
TRUSTEES OF BOSTON UNIVERSITY
25 Buick Street
Boston, MA 02215
jburgess@bu.edu

Re: TRUSTEES OF BOSTON UNIVERSITY
Case 01-CA-271817

Dear Ms. Burgess:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

/s/ *Miguel Rodriguez*

MIGUEL RODRIGUEZ
Deputy to the Assistant General Counsel

cc: Rachel Mccleery
United Food and Commercial Workers
Local 1445 AFL-CIO
293 Boston Post Road West, 4th Floor
Marlborough, MA 01752
rmccleery@seiu509.org

Patrick N. Bryant, Esquire
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2 Liberty Square, 10th Fl.
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